

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 10/2/2019

BOARD MEMBERS PRESENT: H Scott Calhoun - Chair
B Jane McClaran
Eric J Brinton
Paul J Morgan

BOARD MEMBERS ABSENT: Brent Lee Stanger

BUREAU STAFF: Kelley Packer, Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Rob McQuade, Legal Counsel
Eric Nelson, Board Prosecutor
Cesley Metcalfe, Board Specialist

The meeting was called to order at 8:33 AM MDT by H Scott Calhoun.

APPROVAL OF MINUTES

Ms. McClaran made a motion to approve the minutes of August 12, 2019. It was seconded by Mr. Brinton. Motion carried.

[INVESTIGATIVE REPORT](#)

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Mr. Morgan made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Brinton. The vote was: Mr. Calhoun, aye; Mr. Morgan, aye; Ms. McClaran, aye; and Mr. Brinton, aye. Motion carried.

Mr. Morgan made a motion to come out of executive session. It was seconded by Ms. McClaran. Motion carried.

FOR BOARD DETERMINATION

Ms. McClaran made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-REA-2020-3, I-REA-2020-4, I-REA-2020-5, and I-REA-2020-6. It was seconded by Mr. Morgan. Motion carried. Mr. Brinton was recused from case numbers I-REA-2020-3, I-REA-2020-4, and I-REA-2020-5.

Mr. Morgan made a motion to approve a request for termination of probation regarding case number REA-2018-5. It was seconded by Ms. McClaran. Motion carried.

DISCIPLINE

Mr. Nelson presented a Stipulation and Consent Order in case number REA-2019-4. Mr. Morgan made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Brinton. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case number REA-2019-5. Mr. Morgan made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Brinton. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$844,745.61 as of August 31, 2019.

PROPOSED LAWS AND RULES

The Board reviewed a draft of the proposed rules. Ms. McClaran made a motion to adopt the pending rules. It was seconded by Mr. Brinton. Motion carried.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

NEW BUSINESS

APPRAISAL SUBCOMMITTEE COMPLIANCE REVIEW FINAL REPORTS

The Appraisal Subcommittee (ASC) staff conducted an ASC Compliance Review of the Idaho appraiser regulatory program and the Idaho appraisal management company program on April 15-17, 2019 to determine the programs' compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended. The Board reviewed the final ASC Compliance Review Reports. Idaho's appraiser program has been awarded an ASC Finding of "Good" and the appraisal management company program has been awarded an ASC Finding of "Excellent." Idaho will remain on a two-year review cycle.

FEDERALLY REGULATED APPRAISAL MANAGEMENT COMPANY REQUIREMENTS

The Board discussed the minimal requirements for states that register federally regulated appraisal management companies (AMC). Mr. Morgan made a motion to approve the proposed application and renewal application for federally regulated AMCs. It was seconded by Mr. Brinton. Motion carried.

CE COURSES

Mr. Morgan made a motion to approve the following continuing education course:

ASFMRA 90th ANNUAL CONVENTION

It was seconded by Ms. McClaran. Motion carried.

EXECUTIVE SESSION

Mr. Morgan made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Brinton. The vote was: Mr. Calhoun, aye; Mr. Morgan, aye; Ms. McClaran, aye; and Mr. Brinton, aye. Motion carried.

Mr. Brinton made a motion to come out of executive session. It was seconded by Ms. McClaran. Motion carried.

APPLICATIONS

Mr. Morgan made a motion to approve the following for examination:

901150194

It was seconded by Mr. Brinton. Motion carried.

Mr. Morgan made a motion to approve the following pending receipt of additional information and review by the Board chair:

901169629

901169946

It was seconded by Mr. Brinton. Motion carried.

NEXT MEETING was scheduled for December 2, 2019 at 8:30 AM MST.

PROPOSED LAWS AND RULES

Ms. McClaran asked to be recognized stating that she had a report from a recent meeting about proposed laws and rules being discussed by a legislative committee. Chairman Calhoun recognized her to proceed. Ms. McClaran presented an update on the Occupational Licensing and Certification Laws Committee meeting on August 27. The meeting included presentations by the Division of Financial Management, the Legislative Services Office, and the National Conference of State Legislators. The committee is focused on moral turpitude restrictions, necessity of licensure and obstructions to entry of professions, transferability of licensure, sunrise and sunset policies, and criminal background checks.

ADJOURNMENT

Ms. McClaran made a motion to adjourn the meeting at 11:17 AM MDT. It was seconded by Mr. Brinton. Motion carried.

H Scott Calhoun, Chair

Brent Lee Stanger

B Jane McClaran

Eric J Brinton

Paul J Morgan

Kelley Packer, Bureau Chief